



P53821C

30 November 1999

Applicant: Richard G. Hyatt Jr.

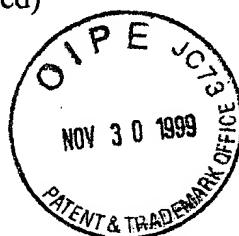
Serial No.: 08/720,070

Filed: 27 September 1996

For: ELECTROMECHANICAL CYLINDER PLUG

Document filed:

1. Fee Transmittal/check(s)(#34173) of \$153.00
2. Substitute Amendment
3. Cover sheet to Examiner Boucher (Faxed)



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# FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.  
 These are the fees effective October 1, 1997.  
 Small Entity payments must be supported by a small entity statement,  
 otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
 See 37 C.F.R. §§1.27 and 1.28.

**TOTAL AMOUNT OF PAYMENT** (\$)153.00

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

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Deposit Account Number: \_\_\_\_\_

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## 2. ■ Payment Enclosed: (CHECK #34173)

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## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	760	201	380	Utility filing fee	\$
106	310	206	155	Design filing fee	\$
107	480	207	240	Plant filing fee	\$
108	760	208	380	Reissue filing fee	\$
114	150	214	75	Provisional filing fee	\$
				<b>SUBTOTAL (1)</b>	<b>(\$)</b> <b>0.00</b>

### 2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total claims	-20** =	4 x 9 =	36
Independent Claims	-3** =	3 x 39 =	117
Multiple Dependent			=

\*\* or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim, if not paid
109	78	209	39	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent
				<b>SUBTOTAL (2)</b>
				<b>(\$)</b> <b>153.00</b>

Complete If Known	
Application Number	08/720,070
Filing Date	27 September 1996
First Named Inventor	Richard G. Hyatt Jr.
Examiner Name	Boucher, D.
Group/Art Unit	3627
Attorney Docket No.	P53821C

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
105	130	205 65 Surcharge-late filing fee or oath	\$
127	50	227 25 Surcharge-late provisional filing fee or cover sheet	\$
139	130	139 130 Non-English specification	\$
147	2,520	147 2,520 For filing a request for reexamination	\$
112	920*	112 920* Requesting publication of SIR prior to Examiner action	\$
113	1,840 *	113 1,840* Requesting publication of SIR after Examiner action	\$
115	110	215 55 Extension for reply within first month	\$
116	380	216 190 Extension for reply within second month	\$
117	870	217 435 Extension for reply within third month	\$
118	1,360	218 680 Extension for reply within fourth month	\$
128	1,850	228 925 Extension for reply within fifth month	\$
119	300	219 150 Notice of Appeal	\$
120	300	220 150 Filing a brief in support of an appeal	\$
121	260	221 130 Request for oral hearing	\$
138	1,510	138 1,510 Petition to institute a public use proceeding	\$
140	110	240 55 Petition to revive - unavoidable	\$
141	1,210	241 605 Petition to revive - unintentional	\$
142	1,210	242 605 Utility issue fee (or reissue)	\$
143	430	243 215 Design issue fee	\$
144	580	244 290 Plant issue fee	\$
122	130	122 130 Petitions to the Commissioner	\$
123	50	123 50 Petitions related to provisional applications	\$
126	240	126 240 Submission of Information Disclosure Statement	\$
581	40	581 40 Recording each patent assignment per property (Times number of properties)	\$
146	760	246 380 Filing a submission after final rejection (37 C.F.R. §1.129(a))	\$
149	760	249 380 For each additional invention to be examined (37 C.F.R. §1.129(b))	\$
Other Fee (specify) _____			
Other Fee (specify) _____			
<b>** Reduced by Basic Filing Fee Paid</b>			<b>SUBTOTAL (3)</b>
			<b>\$0.00</b>

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## SUBMITTED BY

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Typed or Printed Name

Robert E. Bushnell, Esq.

Reg. Number

27,774

Signature

Date

30 November  
1999

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ROBERT E. BUSHNELL

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11/30/1999

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P53821C (small entity)

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Serial No. 08/720,070 (extra claims)

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Richard G. Hyatt Jr.

Serial No.: 08/720,070 (**CPA application**) Examiner: BOUCHER, D.

Filed: 27 September 1996 Art Unit: 3627

For: ELECTROMECHANICAL CYLINDER PLUG

**SUBSTITUTE AMENDMENT**

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Sir:

In substitution for Applicant's papers earlier filed on the 6th of October and 17th of November 1999, and in response to the premature Office action dated 17 August 1999 (Paper No. 25), entry of the following amendments, re-consideration and re-examination are respectfully requested.

Folio: P53821C  
Date: 11/30/99  
I.D.: REB/mf

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IN THE CLAIMS

Please do not cancel any claims, amend Claims 25, 39, 43, 46 and 56, and add Claims 64 through 84, as follows:

1           25. (Thrice Amended) A lock, comprising:

2           a shell containing a hollow recess defining a longitudinal axis and an interior  
3           cylindrical surface;

4           a cylinder plug rotatable around said longitudinal axis while resident within said  
5           hollow recess;

6           a bar interposed between said shell and said cylinder plug to reciprocate generally  
7           along a radial plane between a first position engaging both said shell and said plug while obstructing  
8           rotation of said cylinder plug within said recess, and a second position accommodating said rotation,  
9           said cylinder plug comprising:

10          a first base and a second base separated by an axial length of said cylinder plug from  
11          said first base, said second base bearing means for supporting a cam; and

12          an electrical operator borne by said cylinder plug and rotatable with said cylinder  
13          plug, said electrical operator being electrically operable to respond to a control signal by moving  
14          between a first orientation and a second and different orientation providing obstruction of said bar.

1           39. (Amended) The lock of claim 25, further comprising:

2           a [basic] logic circuit generating said control signal in response to a comparison

3        between a code set within said logic circuit and a [date] data signal applied to said logic circuit;

4                          a conductor provided by said plug, conveying said data signal to said logic circuit;

5        and

6                          said electrical operator moving between said second orientation and said first

7        orientation in response to said control signal.

43. (Amended) A lock, comprising:

a cylinder containing a hollow interior recess defining a longitudinal axis, and bearing a slot within said recess; and

a plug rotatable from a rest orientation around said longitudinal axis while resident within said hollow recess relative to said cylinder; and

an elongate member positioned between said cylinder and plug while extending into said slot, and providing simultaneous engagement of said cylinder and said plug while said plug remains in said rest orientation;

said plug comprising:

a first base bearing an orifice spaced-apart from and separated by a mass of said plug from said keyway;

a second base separated by an axial length of said plug from said first base, said second base disposed to support a cam, said mass being penetrated by a radially oriented aperture:

an exterior surface extending between said first base and said second base;

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16                   a conductor having a terminal exposed to an exterior of said first base through

17                   said orifice;

18                   an electronic logic circuit comprising a memory storing a code, said circuit  
19                   being borne by said plug and coupled to receive data signals via said conductor, said circuit  
20                   generating control signals in dependence upon a comparison between said code and  
21                   information borne by said data signal; [and]

22                   an electrical operator mounted within said aperture, said operator having a  
23                   movable member [travelling] traveling in dependence upon said control signals between a  
24                   first position relative to said exterior surface maintaining said simultaneous engagement and  
25                   a second and different position relative to said exterior surface accommodating movement  
26                   between said plug and said cylinder; and

27                   a component biasing said movable member to maintain said simultaneous  
28                   engagement.

1                  46. (Amended) A lock, comprising:

2                   a shell containing a hollow recess defining a longitudinal axis and an interior  
3                   cylindrical surface;

4                   a cylinder plug rotatable around said longitudinal axis while resident within said  
5                   hollow recess;

6                   a bar borne by said plug and rotatable with said plug relative to said shell, said bar  
7                   being interposed between said shell and said cylinder plug to reciprocate generally along a radial

8 plane between a first position engaging both said shell and said cylinder plug while obstructing  
9 rotation of said cylinder plug within said recess, and a second position accommodating said rotation,  
10 said cylinder plug comprising:

11 a first base and a second base separated by an axial length of said plug from said first  
12 base, said second base bearing means for supporting a cam; and

13 an electrical operator being electrically operable to respond to an electrical control  
14 signal by moving obstructing movement of said bar between said first position and said second  
15 position in response to a first state of said control signal and [accommodating] moving within a  
16 second and different plane not coextensive with said radial plane in response to application of said  
17 control signal to accommodate said movement of said bar in response to a second and different state  
18 of said control signal.

1 56. (Amended) A lock, comprising:

2 a shell containing a hollow recess defining a longitudinal axis and an interior  
3 cylindrical surface;  
4 a plug rotatable around said longitudinal axis while resident within said hollow  
5 recess;

6 an elongate member interposed between said shell and said plug to travel generally  
7 along a radial direction between a first position engaging both said shell and said plug while  
8 obstructing rotation of said plug within said recess, and a second position accommodating said  
9 rotation;

10        said plug comprising:

11                  a first base perforated by an aperture, and a second base separated by an axial  
12                  length of said plug from said first base, said second base bearing means for supporting a  
13                  cam;

14                  a logic circuit borne by said plug and rotatable with said plug, conveying said  
15                  data signal between said aperture to said logic circuit; and

16                  an electrical operator responding to said control signals by moving in a second  
17                  direction not aligned with said radial direction between a first orientation obstructing said  
18                  travel and relative operable movement between said shell and said plug while said electrical  
19                  operator is contained wholly within said plug, and a second and different orientation  
20                  accommodating said travel and said relative operable movement between said shell and said  
21                  plug.

1        --64. A lock, comprising:

2                  a shell containing a hollow recess defining a longitudinal axis and an interior  
3                  cylindrical surface;

4                  a cylinder plug rotatable around said longitudinal axis while resident within said  
5                  hollow recess, said cylinder plug comprising a first base and a second base separated by an axial  
6                  length of said cylinder plug from said first base, said second base bearing means for supporting a  
7                  cam;

8                  a bar interposed between said shell and said cylinder plug to travel generally along

9       a radial plane between a first position engaging both said shell and said plug while obstructing  
10      rotation of said cylinder plug within said recess, and a second position accommodating said rotation;

11            a logic circuit generating an electrical control signal in response to a comparison  
12      between a code set within said logic circuit and a data signal applied to said logic circuit;

13            an electrical conductor provided by said plug, conveying said data signal to said logic  
14      circuit; and

15            an electrical operator borne by said cylinder plug and rotatable with said plug, said  
16      electrical operator being electrically operable to respond to said control signal by moving between  
17      a first orientation providing obstruction of said travel and a second and different accommodating said  
18      travel.

1           --65. A lock, comprising:

2            a shell containing a hollow recess defining a longitudinal axis and an interior  
3      cylindrical surface;

4            a cylinder plug rotatable around said longitudinal axis while resident within said  
5      hollow recess, said cylinder plug comprising a first base and a second base separated by an axial  
6      length of said cylinder plug from said first base, said second base bearing means for supporting a  
7      cam;

8            a bar interposed between said shell and said cylinder plug to travel generally along  
9      a radial plane between a first position engaging both said shell and said plug while obstructing  
10     rotation of said cylinder plug within said recess, and a second position accommodating said rotation;

11           a logic circuit generating a control signal in response to a comparison between a code  
12       set within said logic circuit and a data signal applied to said logic circuit;

13           an electrical conductor provided by said plug, conveying said data signal to said logic  
14       circuit; and

15           an electrical operator comprising an armature, said armature being borne by said  
16       cylinder plug and rotating around said longitudinal axis with said plug, said electrical operator being  
17       electrically operable to respond to said control signal by moving between a first orientation  
18       providing obstruction of said travel and a second and different orientation accommodating said  
19       travel.

1           --66. The lock of claim 65, with said electrical operator further comprising a coil of an  
2       electrically conducting material that is borne by said cylinder plug and wound to drive said armature  
3       to move from one of said first and second orientations to the other of said first and second  
4       orientations in response to said control signal.

1           --67. The lock of claim 65, with said electrical operator further comprising a coil of an  
2       electrically conducting material that is borne by said cylinder plug and wound to drive said armature  
3       to move from said first orientation to said second orientation in response to said control signal.

4           --68. The lock of claim 65, with electrical operator further comprising a coil of an  
5       electrically conducting material that is borne by said cylinder plug and wound to drive said armature

6 to rotate around an arc in response to said control signal.

1           --69. The lock of claim 65, with said electrical operator further comprising a coil of an  
2         electrically conducting material that is borne by said cylinder plug and wound to drive said armature  
3         to reciprocate along a radial axis that is transverse to said radial plane in response to said control  
4         signal.

1           --70. A lock, comprising:

2                 a shell containing a hollow recess defining a longitudinal axis and an interior  
3         cylindrical surface;

4                 a cylinder plug rotatable around said longitudinal axis while resident within said  
5         hollow recess, said cylinder plug comprising a first base and a second base separated by an axial  
6         length of said cylinder plug from said first base, said second base bearing means for supporting a  
7         cam;

8                 a bar interposed between said shell and said cylinder plug to travel generally along  
9         a radial plane between a first position engaging both said shell and said plug while obstructing  
10       rotation of said cylinder plug within said recess, and a second position accommodating said rotation;

11                 a logical circuit generating said control signal in response to a comparison between  
12       a code set within said logic circuit and a data signal applied to said logic circuit;

13                 an electrical conductor provided by said plug, conveying said data signal to said logic  
14       circuit; and

15                   an electrical operator borne by said cylinder plug and rotatable with said plug, said  
16                   electrical operator being electrically operable to respond to an electrical control signal applied to said  
17                   electrical operator by moving along a geometrical construct other than to said radial plane between  
18                   a first orientation providing obstruction of said travel and a second and different orientation  
19                   accommodating said travel.

1                   --71. The lock of claim 70, with said electrical operator further comprising an armature and  
2                   a coil of an electrically conducting material that is borne by said cylinder plug and wound to drive  
3                   said armature to move along said geometric construct in response to said control signal.

1                   --72. The lock of claim 70, with said electrical operator further comprising an armature and  
2                   a coil of an electrically conducting material that is borne by said cylinder plug and wound to drive  
3                   said armature to move along said geometric construct in response to said control signal from said  
4                   second orientation to said first orientation.

5                   --73. The lock of claim 70, with said geometric construct comprising an arc and said  
6                   electrical operator further comprising an armature and a coil of an electrically conducting material  
7                   that is borne by said cylinder plug and wound to drive said armature to rotate around said arc in  
8                   response to said control signal.

1                   --74. The lock of claim 70, with said geometric construct comprising a radial axis that is

2 transverse to said radial plane, and said electrical operator further comprising an armature and a coil  
3 of an electrically conducting material that is borne by said cylinder plug and wound to drive said  
4 armature to reciprocate along said radial axis in response to said control signal.

1 --75. A lock, comprising:

2 a shell containing a hollow recess defining a longitudinal axis and an interior  
3 cylindrical surface;

4 a cylinder plug rotatable around said longitudinal axis while resident within said  
5 hollow recess, said cylinder plug comprising a first base and a second base separated by an axial  
6 length of said cylinder plug from said first base, said second base bearing means for supporting a  
7 cam;

8 a bar interposed between said shell and said cylinder plug to travel generally along  
9 a radial plane between a first position engaging both said shell and said plug while obstructing  
10 rotation of said cylinder plug within said recess, and a second position accommodating said rotation;

11 a logic circuit generating said control signal in response to a comparison between a  
12 code set within said logic circuit and a data signal applied to said logic circuit;

13 an electrical conductor provided by said plug, conveying said data signal to said logic  
14 circuit; and

15 an electrical operator borne by said cylinder plug and rotatable with said plug, said  
16 electrical operator being electrically operable to respond to said control signal by moving along a  
17 radial axis that is transverse to said radial plane, between a first orientation providing obstruction of

18 said travel and a second and different orientation accommodating said travel.

1 --76. A lock, comprising:

2           a shell containing a hollow recess defining a longitudinal axis and an interior  
3           cylindrical surface;

4           a cylinder plug rotatable around said longitudinal axis while resident within said  
5           hollow recess, said cylinder plug comprising a first base and a second base separated by an axial  
6           length of said cylinder plug from said first base, said second base bearing means for supporting a  
7           cam;

8           a logic circuit generating said control signal in response to a comparison between a  
9           code set within said logic circuit and a data signal applied to said logic circuit;

10          an electrical conductor provided by said plug, conveying said data signal to said logic  
11          circuit;

12          an elongate bar exhibiting a greatest longitudinal dimension along a second axis that  
13          extends transversely to said first base and to said second base, said bar being interposed between said  
14          shell and said cylinder plug to travel generally along a radial axis that is transverse to said second  
15          axis, between a first position engaging both said shell and said plug while obstructing rotation of said  
16          cylinder plug within said recess, and a second position accommodating said rotation; and

17          an electrical operator borne by said cylinder plug and rotatable with said plug, said  
18          electrical operator being electrically operable to respond to said control signal by moving along said  
19          radial axis between a first orientation providing obstruction of said travel and a second and different

20 orientation accommodating said travel.

1 --77. A lock, comprising:

2           a shell containing a hollow recess defining a longitudinal axis and an interior  
3           cylindrical surface;

4           a cylinder plug rotatable around said longitudinal axis while resident within said  
5           hollow recess, said cylinder plug comprising a first base and a second base separated by an axial  
6           length of said cylinder plug from said first base, said second base bearing means for supporting a  
7           cam;

8           a logic circuit generating said control signal in response to a comparison between a  
9           code set within said logic circuit and a data signal applied to said logic circuit;

10          an electrical conductor provided by said plug, conveying said data signal to said logic  
11          circuit;

12          an elongate bar exhibiting a greatest longitudinal dimension along a second axis that  
13          extends transversely to said first base and to said second base, said bar being interposed between said  
14          shell and said cylinder plug to travel generally along a radial axis that is radial to said cylinder plug  
15          and transverse to said second axis, between a first position engaging both said shell and said plug  
16          while obstructing rotation of said cylinder plug within said recess, and a second position  
17          accommodating said rotation; and

18          an electrical operator borne by said cylinder plug and rotatable with said plug, said  
19          electrical operator being electrically operable to respond to a control signal by moving between a

20 first orientation providing obstruction of said travel and a second and different orientation  
21 accommodating said travel.

1           --78. The lock of claim 25, with said electrical operator further comprising an armature and  
2           a coil of an electrically conducting material that is borne by said cylinder plug and wound to drive  
3           said armature to move from one of said first and second orientations to the other of said first and  
4           second orientations in response to said control signal.

1           --79. The lock of claim 25, with said electrical operator further comprising an armature and  
2           a coil of an electrically conducting material that is borne by said cylinder plug and wound to drive  
3           said armature to move from said first orientation to said second orientation in response to said  
4           control signal.

1           --80. The lock of claim 25, with electrical operator further comprising an armature and a  
2           coil of an electrically conducting material that is borne by said cylinder plug and wound to drive said  
3           armature to rotate around an arc in response to said control signal.

1           --81. The lock of claim 25, with said electrical operator further comprising an armature and  
2           a coil of an electrically conducting material that is borne by said cylinder plug and wound to drive  
3           said armature to reciprocate along a radial axis that is transverse to said radial plane in response to  
          said control signal.

1           --82. The lock of claim 25, further comprised of a component biasing said bar to maintain  
2           said first position engaging both said shell and said plug.

1           --83. The lock of claim 25, further comprised of a component biasing said electrical operator  
2           to maintain said second orientation providing obstruction of said bar.

1           --84. The lock of claim 25, further comprised of:  
2           a first component biasing said bar to maintain said first position engaging both said shell and  
3           said plug; and  
4           a second component biasing said electrical operator to maintain said second orientation  
5           providing obstruction of said bar.

REMARKS

Claims 1 through 84 are pending: claims 25, 39, 43, 46 and 56 are amended while claims 64 through 84 are newly presented.

The request for cancellation in Applicant's paper of the 6th of October erroneously identified the wrong claims for cancellation. It was Applicant's intention to have canceled, among others, non-elected claims 33 and 35, but through typographic error, the amendment inadvertently directed the cancellation of the claims for the proposed interference. To avoid another mistake, this paper is filed in substitution of the papers dated 6 October and 17 November 1999, no claims are canceled and claims 1 through 84 all remain pending. The Examiner's indication of readiness to issue a Declaration of Interference after the conclusion of the current year, is noted with appreciation.

Amended claims 39, 43, 46 and 56, together with newly added claims 64 through 84, define, among other things, the elected species of Figs. 8A through 8G. The Applicant notes that the Examiner had asserted that claims 43 through 45 were withdrawn from consideration; Applicant notes however, that claims 43 and 44 clearly define the elected species, while claim 45 depends upon the more generic parent independent claim 43. Accordingly, claims 43 and 44 must be considered.

Claims 25 through 31, 39 through 42, 46 through 52, 54 and 56 were alternatively rejected under 35 U.S.C. §102(e) as anticipated by, or under 35 U.S.C. §103(a) rendered obvious by,

Gokcebay U.S. 5,552,777. Applicant traverses these rejections for the following reasons.

Each of these claims, together with newly presented claims 64 through 84, define, "*inter alia*," a "bar" interposed between a shell and a cylinder plug, and an "electrical operator". As defined by claim 25, for example, the electrical operator is "electrically operable to respond to a control signal by moving . . ." In contradistinction, Gokcebay '777 uses a spring 48 that does not, respond to either a control signal or to any electrical stimulus by moving. The Examiner's attention is directed to the transitive and intransitive sense of the verb "move". In effect, the Examiner is rewriting Applicant's claims to substitute "by being *moved* between" for the express language currently used by these claims of "by *moving* between." This is an impermissible interpretation of Applicant's claims. In both mechanical and electrical analogues, the spring is considered as a passive, rather than an active component; consequently, the spring does not move itself, and must be moved by some external force. Applicant's electrical operator is defined by these claims as "being electrically operable to respond . . . by *moving* between . . ." These distinctions are significant because they provide Applicant with indirect, rather than direct locking, and a concomitant increase in mechanical advantage to the user of components such as a side bar or detent. These features are utterly lacking from the art represented by Gokcebay '777.

Moreover, the Examiner's interpretation of Gokcebay '777 to identify his spring 48 as something that is "considered electrically operable" is improper, and contrary to the express teachings of Gokcebay '777. In claim 1 of Gokcebay '777, by way of the example, lines 10 through

14 define the spring while lines 21 through 26 define the operator. These components are distinct, serve distinct functions and cannot be twisted, in their meaning, like a nose made of wax, in order to improperly read these components upon Applicant's language.

Even assuming *arguendo* that the Gokcebay '777 blocking pin/armature item 38 is a "bar" instead of an armature and blocking pin, the Examiner's interpretation still has overlooked how the lock of Gokcebay '777 works and how that is different from the pending claims. According to Gokcebay '777, the "compression spring" item 48 is described in "Description of Preferred Embodiments" in Section 6 line 43 as follows: "The small solenoid 36 when powered overcomes the force of the compression spring 48. In section 8, line 21, it reads "When the solenoid is powered the blocking pin 38 will be released ie: retracted, and the operator [a human person] will be able to rotate the key in the lock, since the key bittings will match the bittings in the lock." Line 26 reads "the master ie: the microprocessor 72 sends the unique number again to U1 to turn off U2 and Q1, stopping the current to the solenoid and allowing the compression spring to *push the blocking pin outwardly* when the cylinder plug is returned to the locked position".

Of course the Gokcebay drawings illustrate the blocking pin/armature as being one in the same component, with the spring constituting merely a spring, and not, as was asserted by the Examiner, an "electrical operator".

If the Examiner believes that the "electrical operator" of the pending claims might be read

as the spring of Gokcebay '777 and that the blocking pin of Gokcebay '777 could be read as a "bar" or sidebar, then Gokcebay's spring does not provide "obstruction of said bar" as defined by Applicant's claims because, in fact, the spring provides no obstruction. It does exactly what Gokcebay describes, by biasing the blocking pin outwardly in the same manner as any biasing element, it intrinsically lacks the structure and is inherently devoid of the capacity to "obstruct" the "bar" simply because the same spring must freely and continuously, even in the absence of Applicant's control signal, allow *full* reciprocation of the blocking pin of Gokcebay '777. Spring 48 of Gokcebay '777 is neither able to both concurrently and simultaneously "respond to" Applicant's control signal, provide Applicant's "obstruction of said bar," or be "electrically operable". Consequently, spring 48 cannot be considered to "be electrically operable" as asserted by the Examiner in support of this rejection. Moreover, if spring 48 were "electrically operable to move ...," then solenoid 36 of Gokcebay '777 would have no function. In short, the Examiner must consider "the subject matter" of each of these claims "as whole" in conformance with the requirement of §103, and must recognize that determinations of obviousness require an evaluation of all of the elements of each claim. The Examiner cannot accurately assert that "spring 48" of Gokcebay '777 has all of the characteristics and attributes of "blocking pin 38" of Gokcebay '777 without impermissibly requiring the solenoid 36 and spring 48 to function in a mode that is contrary to the express teachings of Gokcebay '777.

Applicant's notes that newly presented dependent claims 82 through 84 are readily distinguishable from art of records such as Gokcebay U.S. Patent No. 5,552,777, by the presence of

components biasing either the bar or the electrical operator, and that if a spring in Gokcebay '777 is interpreted as constituting an "electrical operator", as is explained in page 5 of the Examiner's comments in Paper No. 25, it would be impossible to interpret Gokcebay '777 or Gokcebay U.S. patent No. 5,367,293 as either anticipating or making a prima facie showing of obviousness. It is these differences in detail, in combination with the elements of the parent claim 25, that advantageously endow Applicant's embodiments with their ability to quickly retrofit in existing cylinder lock with an additional and increased level of security. Accordingly, claims 82 through 84 are in condition for allowance.

In view of the foregoing distinctions, and the advantageous results flowing therefrom, withdrawal of these rejections and allowance of claims 25 through 33, 39 through 56, and newly added claims 64 through 84 is required.

A fee of \$426.00 (**SMALL ENTITY**) was incurred by seventeen (17) extra claims and seven (7) extra independent claims. The check of Applicant's attorney drawn to pay to the order of Commissioner of this amount, was presently paid. This paper incurs a fee of \$153.00 (**SMALL ENTITY**) is incurred by four (4) excessive claims including three (3) independent claims. Applicant's check drawn to the order of Commissioner accompanies this Substitute Amendment. Should the check become lost, should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

In view of the foregoing amendments and remarks, all claims are deemed to be in condition for allowance. Entry of these amendments, withdrawal of the single outstanding art rejection and passage of this application to issue is respectfully requested. Should questions remain unresolved however, the Examiner is requested to telephone Applicant's undersigned attorney.

Respectfully submitted,

  
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